

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0271

SENATE BILL NO. 54

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Public Utilities Commission

1 FOR AN ACT ENTITLED, An Act to revise how certain rates are determined for grain
2 warehouse operators.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-43-7 be amended to read as follows:

5 49-43-7. ~~The commission shall investigate, from time to time, the cost of receiving,~~
6 ~~handling, and redelivering of grain in storage by public grain warehouses, and fix just and~~
7 ~~reasonable rates for the handling, redelivering, and storage of grain. Each warehouseman shall~~
8 ~~apply the rates in effect to all patrons of his public grain warehouse alike. At the time of~~
9 ~~licensing, a grain warehouse operator shall file with the commission the rates charged by the~~
10 ~~grain warehouse for storing, receiving, and redelivering grain. A grain warehouse operator may~~
11 ~~file different rates for different commodities and the rates shall be effective for the licensing~~
12 ~~period beginning on July first. A grain warehouse operator may adjust rates during the licensing~~
13 ~~period no more than four times and adjusted rates shall be effective on the date of filing. A grain~~
14 ~~warehouse shall charge each customer the rates on file with the commission without~~
15 ~~discrimination. However, a warehouse operator may waive the fees for receiving and handling~~



- 1 if the operator takes title to the grain. A list of the rates shall be made available to a customer
- 2 upon request.